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DATE FILED: 8/7/08

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
IN RE:

AMERICAN LaFRANCE, LLC,

Debtor.

FREIGHTLINER LLC

Plaintiff,

v.

AMERICAN LaFRANCE, LLC,

Defendant.

Chapter 11

Case No. 08-10178-BLS

(Bankr. D. Del.)

08 CV 08-civ-5625 (BSJ)

(ECF)

**STIPULATION**

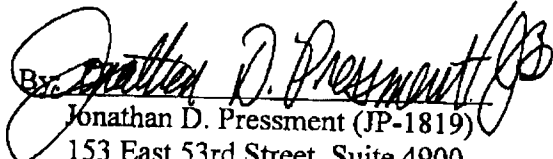
**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for plaintiff Freightliner LLC ("Freightliner" or "plaintiff") and defendant American LaFrance LLC ("ALF"), that:

1. Freightliner hereby withdraws its Motion of Plaintiff Freightliner LLC, Pursuant to Federal Rule of Bankruptcy Procedure 9027, to Remand, Or, in the Alternative, Pursuant to 28 U.S.C. § 1334, to Abstain and Remand filed on July 21, 2008 without prejudice and without costs or fees to any party.

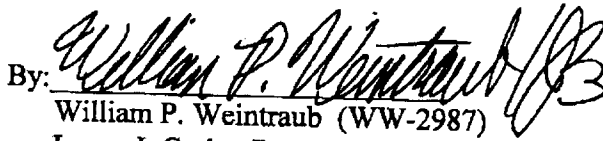
2. This Stipulation may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Moreover, signatures of the Stipulation sent by facsimile or electronic mail transmission shall be deemed the equivalent of original signatures.

Dated: New York, New York  
August 6, 2008.

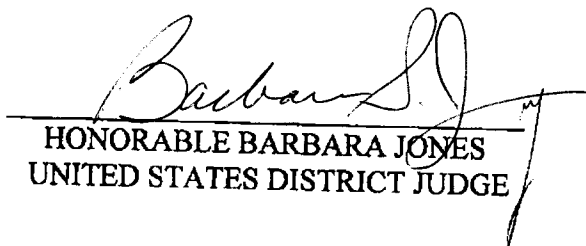
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SO ORDERED.

  
HONORABLE BARBARA JONES  
UNITED STATES DISTRICT JUDGE

8/7/08